

PROB 12B
(06/15)

United States District Court
Southern District of Texas

ENTERED

February 10, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
for the
SOUTHERN DISTRICT OF TEXAS

Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Nathaniel Chilo Case Number: 4:11CR00581-002

Name of Sentencing Judge: The Honorable Ewing Werlein, Jr.

Date of Original Sentence: July 12, 2013

Date of Revocation Sentence: DECEMBER 20, 2019

Original Offense: Count 1S: Wire fraud, aiding and abetting, 18 U.S.C. §§ 1343 and 2

Original Sentence: 70 months imprisonment, three years supervised release, a \$100 special assessment and \$130,176.09 restitution (joint and several). Special conditions: no employment in a fiduciary role, financial disclosure and credit prohibition.

Revocation Sentence: Four months imprisonment, 32 months supervised release (to run concurrent with docket number 4:12CR00001-002) and \$130,176.09 restitution. Special conditions: six months home detention with GPS monitoring, no employment in a fiduciary role, financial disclosure and credit prohibition.

Type of Supervision: Supervised release Supervision Started: March 27, 2020

EARLIER COURT ACTION

January 8, 2018: The Court was notified of delinquent restitution payments. Mr. Chilo was allowed to remain on supervised release.

June 19, 2019: The Court was notified of delinquent restitution payments and arrest for assault. Mr. Chilo was allowed to remain on supervised release.

November 20, 2019: A petition for warrant was submitted after the offender failed to report and failed to pay restitution.

RE: Nathaniel Chilo
Dkt. No. 4:11CR00581-002

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PETITIONING THE COURT

☒ To modify the conditions of supervision as follows:

FINES AND RESTITUTION: The defendant shall adhere to the Court-ordered schedule for the payment of a fine or restitution, if any. The defendant shall pay restitution at the rate of \$150 per month.

CAUSE

The probation officer believes that the offender has violated the following conditions of supervision:

1 Failure to Pay Restitution as Directed

On December 20, 2019, Nathaniel Chilo was ordered to pay restitution in the amount of \$200 or 10% of gross income, whichever is greater, to commence 30 days after release. Mr. Chilo failed to make payments for the months of April 2020, June 2020, September 2020, November 2020 and December 2020. Since he was released from custody, he has made a total of \$380 in payments.

Presently, Mr. Chilo relies on unemployment benefits and food stamps and has custody of his two children. He had a job opportunity in Abilene, Texas with a solar energy company and was approved to transfer to the ND/TX. However, due to COVID-19, the project was suspended. Mr. Chilo has been utilizing the services of Workforce Solutions to obtain employment.

A financial investigation was conducted and it was determined Mr. Chilo's monthly net earnings are approximately \$1,404. His monthly expenses are \$1,127 and this includes rent, groceries, phone, basic cable, transportation and his children's expenses. He has a monthly cash flow of approximately \$277 and he has agreed to make monthly payments of \$150.

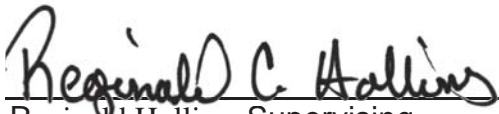
Mr. Chilo understands the importance of finding full-time employment to pay his restitution and to provide for his family.

It is recommended that the modification be granted and that the Court reserve the right to address these violations at a later date.

RE: Nathaniel Chilo
Dkt. No. 4:11CR00581-002

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Approved:

A handwritten signature in dark ink, appearing to read "Reginald C. Hollins", written over a horizontal line.

Reginald Hollins, Supervising
United States Probation Officer

Respectfully submitted,

By: 

A handwritten signature in dark ink, appearing to read "Kathleen S. Lee", written over a horizontal line.

Kathleen S. Lee
United States Probation Officer
January 14, 2021

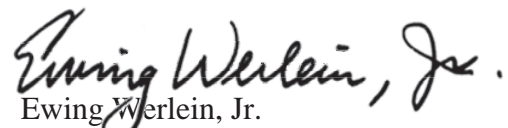
Name of Offender: Nathaniel Chilo

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THE COURT ORDERS:

- ☐ No Action
- ☐ Extended Supervision as Noted
- ☒ Modify Conditions as Noted
- ☐ Other:


Ewing Werlein, Jr.
U. S. District Judge

February 10, 2021

Date